

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN

BORROUGHS CORPORATION and  
BORROUGHS CORPORATION EMPLOYEE  
BENEFIT PLAN,

Plaintiffs,

Case No. 2:11-cv-12565-VAR-PJK

Honorable Victoria A. Roberts  
Magistrate Judge Paul J. Komives

v.

BLUE CROSS AND BLUE SHIELD OF  
MICHIGAN,

Defendant.

HI-LEX CONTROLS INCORPORATED,  
HI-LEX AMERICA, INCORPORATED and  
HI-LEX CORPORATION HEALTH AND  
WELFARE PLAN,

Plaintiffs,

Case No: 2:11-cv-12557- VAR-PJK

Honorable Victoria A. Roberts  
Magistrate Judge Paul J. Komives

v.

BLUE CROSS AND BLUE SHIELD OF  
MICHIGAN,

Defendant.

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**ORDER REGARDING PLAINTIFFS' FIRST AND SECOND**  
**MOTIONS TO COMPEL DISCOVERY**

The Court held oral argument on Plaintiffs' First and Second Motions to Compel Discovery on March 9, 2012 and hereby orders the following:

1. Defendant shall produce to Plaintiffs all of Defendant's answers to interrogatories served in all other cases concerning Access Fees by April 9, 2012.
2. Defendant shall make available to Plaintiffs' consultant a person knowledgeable about claims data possessed by Defendant that relates to Plaintiffs and the parties shall discuss,

in good faith, issues surrounding the production of data from Defendant to Plaintiffs. If the parties cannot agree to terms for production of the data to Plaintiffs, then the Court will re-set a hearing on this issue at the request of either party.

3. The Court will hold in abeyance decision on Plaintiffs' Motion as it relates to their First Request for Production of Documents Nos. 21-26, Third Request for Production of Documents Nos. 1-5, and Third Set of Interrogatories Nos. 2-4, until the initial expert report deadline of April 24, 2012. If, after reviewing Defendant's expert report, the parties cannot agree to terms for production of the requested documents and information, the Court will take up this issue. Plaintiffs shall so notify the Court by filing a supplemental brief and Defendant may file a supplemental response brief within 7 days of service of Plaintiffs' brief.

4. Other issues raised by Plaintiffs' First and Second Motions to Compel were addressed as set forth on the record.

Approved as to Form Only:

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**IT IS SO ORDERED.**

Dated: March 30, 2012

s/Paul J. Komives  
Paul J. Komives  
United States Magistrate Judge